

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

October 22, 2010 – 9:00 a.m. – KREAB Office

PRESIDING OFFICER

Dorsey Hall, Chair

ROLL CALL

Present:

Dorsey Hall, Chair
Sam E. Blackburn, Vice Chair
G. Herbert Pritchett, Board Member
Harold Brantley, Board Member
Kathy Mayfield, Board Member

Present Also:

Larry Disney, Executive Director
Angie Thomas, Staff Assistant
James Grawe, Board Counsel
Ravon Radmard, Executive Secretary
Dennis Badger, Investigator

Chair, Dorsey Hall opened the meeting and welcomed the guest. The guests in attendance were Susie Helm (KAR), Norman Jones (KAR), Marvin Dever (Appraiser), Andy Peak (Farm Credit Service) and Shannon Colwell (Farm Credit Service).

Motion by Harold Brantley, second by Herbert Pritchett and the Board unanimously approved the September 17, 2010 minutes.

EDUCATION

Motion by Sam Blackburn second by Kathy Mayfield and the Board unanimously agreed to cancel the approval of Dynasty School at the request of the Appraisal Subcommittee because of Dynasty School no longer being IDEEC approved.

Motion by Herbert Pritchett, second by Kathy Mayfield and the Board unanimously agreed to approve the following education courses for fiscal year 2010-2011:

- (1) McKissock, LP – Four CE classroom courses:
 - (a) Financial Reform, Fannie Mae and Appraisers – 7 hours CE classroom
 - (b) Residential Appraisal Review – 7 hours CE classroom
 - (c) Introduction to Residential Green Building for Appraisers – 4 hours CE classroom
 - (d) Appraising in a Post-HVCC World – 4 hours CE classroom
- (2) Dennis Badger & Associates, Inc. – Two CE classroom courses:
 - (a) ERC Summary Appraisal Report Course – 7 hours CE classroom
 - (b) 2010-2011 National USPAP Update Course – 7 hours CE classroom
- (3) Appraisal Institute – Two CE classroom courses and One CE online course:
 - (a) Introduction to Green Buildings: Principles & Concepts – 8 hours CE classroom
 - (b) Case Studies in Appraising Green Residential Buildings – 8 hours CE classroom
 - (c) Online GIS – The Novice Case Study – 7 hours CE online
- (4) Commonwealth School of Western Kentucky University – One QE classroom course:
 - (a) Advance Real Estate Appraisal – 48 hours QE and CE

CERTIFICATION/LICENSURE

Motion by Harold Brantley, second by Sam Blackburn and the Board voted to approve a total of nine (9) individuals for certification/licensure.

- (1) Mary Jo Baker - Associate
- (2) Timothy F. Cain – Certified General (North Carolina)
- (3) Donna Capozzoli – Certified Residential (Georgia)
- (4) Brian E. Howard – Associate
- (5) Jeffrey Scott Leamon – Certified General (Tennessee)

- (6) Jesse Kip Miller – Certified General (Tennessee)
- (7) Andrew P. Morgan – Certified Residential (Ohio)
- (8) Kyle A. Shelton – Associate
- (9) Mark K. Sturgill – Certified General (West Virginia)

B. Andrew P. Morgan – Appraiser applying for Certified Residential by Reciprocity from Ohio with prior Legal Action or Professional proceeding. – Motion by Sam Blackburn, second by Kathy Mayfield and the Board unanimously approved the application of Mr. Morgan. The Certification list will be amended to reflect the addition.

COMPLAINT

- A. Case Summary Flow Chart – Herbert Pritchett commended the staff on keeping cases on track
- B. The Board was advised there have been a total of 49 cases filed for 2010.
- C. Dennis Badger advised the Board that he attended the AARO conference and discussion was made on the Universal Complaint Form. Dennis Badger also advised the Board that he is seeking a position with the Appraisal Standards Board and if he gets the position that he would not be able to do investigations but his company can keep the investigator contract.
- D. Discussion was made on open records. Chair, Dorsey Hall, appointed James Grawe to work with staff to develop an Open Records format and present to the Board at the next regular meeting.
- E. Cases that have been appealed. Motion by Sam Blackburn, second by Harold Brantley and the Board advised James Grawe to file a Motion of Submission to the Franklin Circuit Court on Matt Miniard and Lynn Prichard. The Board also advised that Marvin Wilson, Attorney will file a Motion of Submission to the Franklin Circuit Court on David Harrington.
 - (1) Matt Miniard – Final Order 6/24/09
Appeal filed on 7/29/09
 - (2) David Harrington – Final Order 2/18/10
Appeal filed on 3/25/10
 - (3) Lynn Prichard – 3/2008
Appeal filed on 12/2008
- F. Case No. 10-22 – Motion by Herbert Pritchett, second by Kathy Mayfield and the Board unanimously agreed to dismiss the case.

- G. Case No. 10-25 - Motion by Sam Blackburn, second by Harold Brantley and the Board unanimously agreed to file a formal complaint and set the case for a hearing.
- H. Case No. 10-24 – Motion by Kathy Mayfield, second by Sam Blackburn and the Board unanimously agreed to file a formal complaint and set the case for a hearing.
- I. Case No. 10-19 – Motion by Herbert Pritchett, second by Harold Brantley and the Board unanimously agreed to dismiss the case.

MISCELLANEOUS

The Board reviewed:

- (1) Online Renewals – Motion by Herbert Pritchett, second by Sam Blackburn and the Board unanimously agreed to proceed with the steps in beginning the process of renewing online.
- (2) Budget ending September 30, 2010
- (3) National Registry Fee Increase – The National Registry Fee will increase from \$25 to \$40 per each Certified/Licensed Real Property Appraiser. The language in existing KRS 324A.060(d) allows this increase to be applied immediately.
- (4) Dodd-Frank Wall Street Reform Act – Appraisal Independence Requirement and Customary Fees
- (5) Title XI of FIRREA as Amended was presented to the Board.
- (6) Appraiser Independence Requirements for Fannie Mae was distributed to the Board.
- (7) Board of Governors of the Federal Reserve System – press release was given to the Board.
- (8) First Exposure Draft of Proposed Revisions to the Future Real Property Appraiser Qualifications Criteria – The Board agreed that Larry Disney will respond on behalf of the Board.
- (9) Associate Curriculum – Motion by Sam Blackburn, second by Kathy Mayfield and the Board agreed to begin the process of changing the regulation to reflect an education requirement for Associate appraisers to complete a Market Analysis and Highest & Best Use course to replace the Basic Income course identified in 201 KAR 30:190, Section 4(2), and Section 8(1)(c).
- (10) AQB/AARO/TAF/ASC/NAR Meeting Summary
- (11) Personal Property – Fannie Mae and Freddie Mac
- (12) House Keeping Legislation was discussed by the Board – Motion by Sam Blackburn, second by Herbert Pritchett and the Board will accept the changes requested by KAR which shall be:
 - The maximum fine shall not exceed \$10,000 per case.
 - Change the license fee from \$200 to not to exceed \$400Herbert Pritchett commended KAR for their participation and involvement in the laws and regulations changes.
- (13) Chapter 30 Regulation Updates will be prepared and presented to LRC.

- (14) Final Draft of the AMC Legislation – Draft will be sent to LRC staff. Hopefully the bill will be passed in January 2011.
- (15) MLS Participation for multiple areas of Kentucky, Board voted to approve buying annual subscriptions.
- (16) Herbert Pritchett continuing education course was discussed as 3.5 hour presentation to be instructed in 2011 in conjunction with an additional 3.5 hour course that will be developed and instructed by Larry Disney.

NEW BUSINESS

Motion by Sam Blackburn, second by Harold Brantley and the Board agreed to cancel the November 2010 Board meeting.


The next Board meeting is scheduled for Friday, December 17, 2010 beginning at 9:00 a.m. at the KREAB Office.

The Board was notified that the January Board meeting will be Thursday, January 13, 2011 at 1:00 p.m. and will be held at the Holiday Inn University Plaza, Bowling Green, KY.

The Board was notified that the February Board meeting will be Thursday, February 10, 2011 at 1:00 p.m. and will be held at the Holiday Inn Hurstbourne, Louisville, KY.

Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to change the April 2011 Board meeting to Thursday, April 21, 2011.

Motion by Sam Blackburn, second by Harold Brantley and the Board voted unanimously to adjourn the meeting.



Chair



Argie Thomas
Staff Assistant